

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

CARL W. BAILEY, SR,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	Case No. 06-0287-CV-W-DW
	)	
BAYER CROP SCIENCE, LP,	)	
	)	
Defendant.	)	

**PLAINTIFF CARL BAILEY’S MOTION FOR LEAVE  
TO AMEND HIS COMPLAINT TO JOIN ADDITIONAL PARTY DEFENDANTS**

COMES NOW the Plaintiff, Carl W. Bailey Sr., pursuant to FRCP 15 and FRCP 20 hereby moves the Court for leave to amend his Complaint to join additional party Defendants and in support of his motion states the following:

1. Complete relief cannot be had without the joinder of Greg Moorner and Jamie Jackson as Defendants. Both Mr. Jackson and Mr. Moorner are employees of the Defendant Bayer Crop Science, LP, and it is their actions which form the basis of this litigation.
2. Greg Moorner and Jamie Jackson are necessary and indispensable parties, as the claim against them arises out of the same transaction and occurrence, and as joint-tortfeasors with Defendant Bayer Crop Science, LP, are jointly and severally liable.
3. The parties may be subject to inconsistent or unfair obligations toward the Plaintiff without the joinder of these additional parties.
4. The substantive averments in Plaintiff’s Complaint will not change.
5. The same questions of law and fact are common to all Defendants.
6. Defendant Bayer Crop Science L.P. will not be prejudiced or unduly harmed by the addition of these parties as Defendants.

7. The joining of these additional parties will promote judicial economy.

WHEREFORE, Plaintiff prays for an Order from the Court allowing Plaintiff to amend his Complaint to add Greg Moorner and Jamie Jackson as Defendants in this cause.

Respectfully Submitted,

/s/ Robert L. Shirkey  
Robert L. Shirkey, MBN 14483  
1150 Grand Boulevard, Suite 250  
Kansas City, Missouri 64106  
Tel.: 816.842.3030  
Fax: 816.842.3070

ATTORNEY FOR PLAINTIFF CARL BAILEY

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was served, by First Class United States Mail, Postage Prepaid, on the following counsel of record this 15<sup>th</sup> day of March, 2007:

Jack D. Rowe  
Brian N. Woolley  
Lathrop & Gage, L.C.  
2345 Grand Boulevard, Suite 2600  
Kansas City, Missouri 64108

ATTORNEYS FOR DEFENDANT  
BAYER CROPSCIENCE LP

/s/ Robert L. Shirkey  
Attorney for Plaintiff